

IRO Certificate #4599

NOTICE OF INDEPENDENT REVIEW DECISION

November 25, 2002

Re: IRO Case # M2-03-0315

Texas Worker's Compensation Commission:

___ has been certified as an independent review organization (IRO) and has been authorized to perform independent reviews of medical necessity for the Texas Worker's Compensation Commission (TWCC). Texas HB. 2600, Rule133.308 effective January 1, 2002, allows a claimant or provider who has received an adverse medical necessity determination from a carrier's internal process, to request an independent review by an IRO.

In accordance with the requirement that TWCC assign cases to certified IRO's, TWCC assigned this case to ___ for an independent review. ___ has performed an independent review of the proposed care to determine if the adverse determination was appropriate. For that purpose, ___ received relevant medical records, any documents obtained from parties in making the adverse determination, and any other documents and/or written information submitted in support of the appeal.

The case was reviewed by a physician who is Board Certified in Psychiatry. He or she has signed a certification statement attesting that no known conflicts of interest exist between him or her and any of the treating physicians or providers, or any of the physicians or providers who reviewed the case for a determination prior to referral to ___ for independent review. In addition, the certification statement further attests that the review was performed without bias for or against the carrier, medical provider, or any other party to this case.

The opinion of the ___ reviewer who reviewed this case, based on the medical records provided, is as follows:

History

This case involves a 27-year-old female diagnosed with chronic pain syndrome and adjustment reaction secondary to chronic pain. She was evaluated 8/22/02, 9/6/02 and 9/9/02 as an outpatient by psychologists. She had a history of depression in 1998 and previously was treated with Zoloft and Remeron. She sustained a back/shoulder injury 1/31/02. The pain continued despite physical therapy. A Beck depression scale indicated "severe depression" The psychologists requested three weeks of both individual psychotherapy and biofeedback (one session of each weekly) to aid in her efforts at rehabilitation.

Requested Service

Psychotherapy and biofeedback 1 X week for 3 weeks.

Decision

I disagree with the carrier's decision to deny the requested treatment.

Rationale

It is medically appropriate to treat a patient who had chronic pain and depression with therapy and biofeedback. A psychiatric evaluation would also be appropriate in addition to, not instead of, the requested therapy/biofeedback. The fact that the patient needs psychiatric evaluation for medications is no reason to postpone therapy and biofeedback.

This medical necessity decision by an Independent Review Organization is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision, a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **10** (ten) days of your receipt of this decision (28 Tex. Admin. Code 142.5(c)).

If disputing other prospective medical necessity (preauthorization) decisions, a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **20** (twenty) days of your receipt of this decision (28 Tex. Admin. Code 148.3).

This decision is deemed received by you 5 (five) days after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5(d)). A request for a hearing should be sent to:
Chief Clerk of Proceedings, Texas Worker's Compensation Commission, P O Box 40669,
Austin, TX 78704-0012. **A copy of this decision should be attached to the request.**

The party appealing this decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute (Commission Rule 133.308(t)(2)).

Sincerely,